

Indiana Civil Rights Commission
AGENCY MONTHLY REPORT
APRIL 2013



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Executive Director

Intake

The Intake section of the report shows the number of phone, web and/or mail inquiries received from the public. It also shows the number of jurisdictional complaints drafted and mailed. The number of signed complaints received for investigation is also reported.

	Jan 2013	Feb 2013	Mar 2013	Apr 2013	May 2013	June 2013	July 2013	Aug 2013	Sept 2013	Oct 2013	Nov 2013	Dec 2013	Year to Date
Total Number of Inquiries	303	263	288	359									1213
Number of Complaints Drafted	66	77	81	113									337
% of inquiries drafted	22%	29%	28%	31%									28%
Employment	54	60	66	83									263/78%
Housing (Real Estate)	4	2	7	10									23/7%
Public Accommodation	7	12	4	13									36/11%
Credit	0	0	0	0									0/0%
Education	1	3	4	7									15/4%
Unknown	0	0	0	0									0/0%
Number of Complaints Formalized	63	56	65	88									272
Employment	47	39	43	59									188
Transferred from EEOC*	3	0	0	0									3
Housing (Real Estate)	9	7	14	9									39
Transferred from HUD**	3	2	5	1									11
Public Accommodation	6	8	4	14									32
Credit	0	0	0	0									0
Education	1	2	4	6									13

*EEOC sends cases to ICRC pursuant of the Deferral Program. These transfers are included in the total # of EEOC complaints formalized.

**Reflects cases retrieved from Teapots. These transfers are included in the total # of HUD complaints formalized.

Inquiries by Region

This section provides a breakdown of the inquiries received by each region.

	Jan 2013	Feb 2013	Mar 2013	Apr 2013	May 2013	June 2013	July 2013	Aug 2013	Sept 2013	Oct 2013	Nov 2013	Dec 2013	Year to Date
Total Number of Inquiries by Region	303	263	288	359									1213
Region 1	32	23	26	34									115
Region 2	23	26	30	29									108
Region 3	17	23	17	18									75
Region 4	10	9	9	18									46
Region 5	135	122	131	169									557
Region 6	25	17	19	21									82
Region 7	8	14	10	24									56
Region 8	18	8	12	18									56
Region 9	25	17	30	21									93
Unknown	10	4	4	7									25

Region 1: Jasper, Lake, LaPorte, Newton, Porter, Pulaski and Starke

Region 2: St. Joseph, Elkhart, Marshall, Fulton, Kosciusko, Wabash, Cass and Miami

Region 3: LaGrange, Steuben, Noble, Dekalb, Whitley, Allen, Huntington, Wells and Adams

Region 4: White, Benton, Warren, Tippecanoe, Carroll, Clinton, Fountain and Montgomery

Region 5: Boone, Hamilton, Hendricks, Marion, Hancock, Morgan, Johnson and Shelby

Region 6: Howard, Grant, Blackford, Jay, Tipton, Madison, Delaware, Randolph, Henry, Wayne, Rush, Fayette, Union and Franklin

Region 7: Vermillion, Parke, Putnam, Vigo, Clay, Owen, Sullivan, Greene and Monroe

Region 8: Knox, Daviess, Martin, Lawrence, Gibson, Pike, Dubois, Orange, Crawford, Posey, Vanderburgh, Warrick, Spencer and Perry

Region 9: Brown, Bartholomew, Clark, Dearborn, Decatur, Floyd, Franklin, Harrison, Jackson, Jefferson, Jennings, Ohio, Ripley, Scott, Switzerland and Washington

Unknown: If the location of the inquiry cannot be identified.

Investigation

The Investigation section shows the overall age of cases currently being investigated by the agency. Cases over 100 days in Real Estate or 180 days in all other cases could be in the Legal Department pending a decision. (Aged is >100 days in Real Estate and >180 days in all other cases).

	Jan 2013	Feb 2013	Mar 2013	Apr 2013	May 2013	June 2013	July 2013	Aug 2013	Sept 2013	Oct 2013	Nov 2013	Dec 2013	Year to Date
% of Aged Cases by Area													
Employment	19%	11%	8%	5%									11%
Housing (Real Estate)	0%	6%	0%	0%									2%
Public Accommodation	10%	2%	9%	0%									5%
Credit	0%	0%	0%	0%									0%
Education	23%	13%	6%	11%									13%
Open Cases by Area													
Employment	288	291	295	317									
Housing (Real Estate)	38	35	39	44									
Public Accommodation	61	63	59	68									
Credit	0	0	0	0									
Education	20	22	25	27									

Closures

The Closure section indicates the number of cases closed and how the case was closed after a complete investigation. NPC = No Probable Cause, CWS = Closed with Settlement (Mediation Agreement), CW = Closed Withdrawal, AD = Administrative Dismissal (Lack of Jurisdiction, Failure to Cooperate/Locate), FO = Final Order.

	Jan 2013	Feb 2013	Mar 2013	Apr 2013	May 2013	June 2013	July 2013	Aug 2013	Sept 2013	Oct 2013	Nov 2013	Dec 2013	Year to Date
Number of Cases Closed	39	53	45	31									168
Employment	26	38	30	20									114
Housing (Real Estate)	12	9	6	5									32
Public Accommodation	1	6	8	4									19
Education	0	0	1	2									3
Credit	0	0	0	0									0
Type of Closure													
NPC	21	39	28	21									109
CWS	9	10	13	6									38
CW	2	3	2	2									9
AD	3	1	0	2									6
FO	4	0	2	0									6

Legal

The Legal section tracks cases receiving probable/reasonable cause, as well as provides information on active cases being handled by the Legal Department.

	Jan 2013	Feb 2013	Mar 2013	Apr 2013	May 2013	June 2013	July 2013	Aug 2013	Sept 2013	Oct 2013	Nov 2013	Dec 2013	Year to Date
Probable/Reasonable Cause Findings	1	5	6	6									18
Employment	1	5	2	0									8
Housing (Real Estate)	0	0	1	1									2
Public Accommodation	0	0	3	4									7
Education	0	0	0	1									0
Credit	0	0	0	0									0
Active Cases													
Employment	31	33	32	33									
Housing (Real Estate)	14	15	14	14									
Public Accommodation	8	8	8	8									
Education	5	5	5	5									
Credit	0	0	0	0									
Average Age of Cases since NOF*	430	429	462	439									

*NOF (Notice of Finding). This includes cases that are now pending in state court.

Probable Cause Findings for the current month

This section provides detailed information on probable cause findings.

Butler, A. v. Natver LLP dba Fairfield Inn & Suites Avon is a public accommodation case based on race. Complainant alleged that she was denied equal access to Respondent's facility due to her race.

Butler, P. v. Natver LLP dba Fairfield Inn & Suites Avon is a public accommodation case based on race. Complainant alleged that she was denied equal access to Respondent's facility due to her race.

Butler, A. v. Natver LLP dba Fairfield Inn & Suites Avon is a public accommodation case based on race. Complainant alleged that she was denied equal access to Respondent's facilities due to her race.

Butler, E. v. Natver LLP dba Fairfield Inn & Suites Avon is a public accommodation case based on race. Complainant alleged that he was denied equal access to Respondent's facilities due to his race.

Lewis v. Creative Hairstyling Academy nka Tricoci University of Beauty Cylture is an education case based on sex. Complainant alleged that she was subjected to sexual harassment.

Barker v. Quicken Loans is a housing case based on disability. Complainant alleged that she was denied a refinance loan due to her disability.

Final Orders

This section provides information on cases that receive Final Orders by The Commission.

N/A

Articles of Interest:

HUD, DOJ release new guidance on “design and construction” requirements under the Fair Housing Act (April 30, 2013, HUD Newsroom)

http://portal.hud.gov/hudportal/HUD?src=/press/press_releases_media_advisories/2013/HUDNo.13-055

The new guidance is designed to assist design professionals, developers and builders in understanding and meeting their obligations and to assist persons with disabilities in understanding their rights regarding the “design and construction” requirements of the federal Fair Housing Act.

HUD issues notice on assistance animals and reasonable accommodations for persons with disabilities (April 30, 2013, HUD Newsroom)

http://portal.hud.gov/hudportal/HUD?src=/press/press_releases_media_advisories/2013/HUDNo.13-060A

The “Notice on Service Animals and Assistance Animals for People with Disabilities in Housing and HUD-Funded Programs” discusses how the Fair Housing Act and the Americans with Disabilities Act (ADA) intersect regarding the use of service or assistance animals by persons with disabilities.

Justice Dept. reaches agreement with Indiana School District (April 26, 2013, eNews Park Forest)

<http://www.enevspf.com/latest-news/law-and-order/federal-and-international/42526-justice-department-reaches-agreement-with-indiana-school-district-to-provide-a-safe-and-supportive-learning-environment-for-all-students.html>

The Justice Department announced today that it reached a settlement agreement with the Metropolitan School District of Decatur Township, Ind., to prevent and respond to peer on peer harassment in schools. The agreement resolves the department’s review of the district’s policies and practices related to harassment and bullying, which was initiated in June 2011 after reports of possible racial harassment at a district school.

HUD announces major restructuring of field offices (April 24, 2013, HUD Newsroom)

http://portal.hud.gov/hudportal/HUD?src=/press/press_releases_media_advisories/2013/HUDNo.13-054The U.S. Department of Housing and Urban Development today announced a series of restructuring and systemic changes within its Office of Multifamily Housing Programs and the Office of Field Policy and Management (FPM). The changes, which include consolidating Multifamily hubs nationwide and closing 16 smaller offices, affect approximately 900 of the Departments’ 9,000 employees.

Hire Dynamics sued by EEOC for retaliation (April 23, 2013, EEOC Newsroom)

<http://www.eeoc.gov/eeoc/newsroom/release/4-23-13.cfm>

Hire Dynamics, LLC, a major staffing and professional recruitment company headquartered in Duluth, Ga., violated federal law by retaliating against an employee because he filed a discrimination charge, the U.S. Equal Employment Opportunity Commission (EEOC) charged in a lawsuit it filed today.

Lopez argues Governor's tax cut makes good sense for Latinos (April 23, 2013, Indiana Tax Reporter)

<http://indianapropertytaxreporter.blogspot.com/2013/04/lopez-argues-governors-tax-cut-makes.html>

Just last month, the federal Bureau of Labor Statistics indicated that the unemployment rate amongst Latinos nationally sits stubbornly high at a seasonally-adjusted 9.6 percent, nearly 3 full percentage points higher than the rate for Caucasian Americans.

ICRC announces free attorney training seminar in Hammond on May 31st (April 19, 2013, ICRC Newsroom)

<http://www.in.gov/icrc/2680.htm>

The Indiana Civil Rights Commission (ICRC) will conduct a free Continuing Legal Education (CLE) seminar for attorneys and legal professionals in Hammond Friday, May 31, 2013 in the Millard E. Gyte Science Building (Room 107) at Purdue Calumet University. The free training titled "*Title VII and Sexual Harassment in the Workplace*" will be worth 3.0 CLE credits* for Indiana attorneys.

Quicken Loans accused of housing discrimination against a Shelbyville woman (April 17, 2013, ICRC Newsroom)

<http://www.in.gov/icrc/2678.htm>

Detroit, Mi. based Quicken Loans was charged today with violating the Fair Housing Act after they required a Shelbyville, Ind. woman, a disabled veteran, to provide documentation verifying the permanency of her social security and VA disability benefits for the next three years. As a result of the request, the charging party did not continue the refinance process with Quicken Loans.

Edgewater Japanese Market to pay \$250,000 to Hispanic Employees (April 17, 2013, EEOC Newsroom)

<http://www.eeoc.gov/eeoc/newsroom/release/4-17-13.cfm>

Mitsuwa Corporation, which does business as Mitsuwa Marketplace, a large Japanese market in Edgewater, N.J., will pay \$250,000 to settle a national origin discrimination lawsuit by the U.S. Equal Employment Opportunity Commission (EEOC), the agency announced today.

HUD settles discrimination claim with Coldwell Banker Residential Brokerage and Home Seller (April 15, 2013, HUD Newsroom)

http://portal.hud.gov/hudportal/HUD?src=/press/press_releases_media_advisories/2013/HUDNo.13-051B

The U.S. Department of Housing and Urban Development (HUD) announced today a \$90,000 Conciliation Agreement with Coldwell Banker Residential Brokerage and the seller of a home in Worcester, Massachusetts, settling allegations they violated the Fair Housing Act by preventing the sale of a house to be used as a group home for persons with disabilities.

Angry human rights director vacates post (April 12, 2013, Pal-item)

<http://www.pal-item.com/article/20130412/NEWS01/304120006/Angry-human-rights-director-vacates-post>

Ron Church, head of the city's nearly defunct Human Rights department, resigned his position Friday, criticizing the Richmond Common Council for defunding the human rights office and blasting Mayor Sally Hutton for lack of support.

Haircuts and health screenings available Saturday (April 12, 2013, South Bend Tribune)

<http://www.southbendtribune.com/news/sbt-haircuts-and-health-screenings-available-20130412,0,271125.story>

On Saturday, instead of just stopping in for a quick haircut at your local barbershop, you can also be proactive about your health. The Indiana Black Barbershop Health Initiative, a campaign to create awareness among African-American males about their cardiovascular health, is in its third year and will present Saturday's health screenings.

EEOC sues Wal-Mart for sexual harassment, retaliation and disability discrimination (April 10, 2013, EEOC Newsroom)

<http://www.eeoc.gov/eeoc/newsroom/release/4-10-13.cfm>

Wal-Mart Stores East, L.P. violated federal law by allowing a male employee at an Akron Wal-Mart store to subject a developmentally disabled co-worker to sexually inappropriate conduct and then retaliating against her for her opposition to the sexual misconduct, the U.S. Equal Employment Opportunity Commission (EEOC) charged in a lawsuit it announced today.

Mayor has a read on proposed local fair housing ordinance (April 8, 2013, Banner Graphic)

<http://www.bannergraphic.com/story/1957089.html>

The local legislation, Ordinance 2013-1, essentially establishes a City of Greencastle policy and sets necessary provisions "appropriate to prevent discrimination in the area of housing because of race, color, religion, sex, handicap, familial status or national origin."

South Bend cited for too many blacks in special ed (April 8, 2013, South Florida Times)

http://www.sfltimes.com/index.php?option=com_content&task=view&id=12922&Itemid=331

South Bend schools have been cited by the state for shifting a disproportionate number of black students into special education classes, a decades-old nationwide problem that critics say may reflect unspoken racial bias.

Excuses build monuments of nothingness (April 4, 2013, Indianapolis Recorder)

http://www.indianapolisrecorder.com/opinion/article_33062a5e-9d3f-11e2-aead-0019bb2963f4.html

The memories are vivid...4 a.m. and pitch black outside. Still half asleep, standing in the screen door watching as she walked to the bus stop. The neighborhood never slept, so I stood in the door—anxious—and watched until she faded into black.

‘No Vacancy’ Housing discrimination still a challenge (April 4, 2013, Indianapolis Recorder)

http://www.indianapolisrecorder.com/news/article_e685364a-9d37-11e2-9c12-0019bb2963f4.html

When you seek to buy or rent housing, the main factor in whether or not you get it should be your ability to pay for and take care of it. Otherwise, you could be a victim of housing discrimination.

HUD kicks off Fair Housing Month with launch of National Media Campaign (April 3, 2013, HUD.gov)

http://portal.hud.gov/hudportal/HUD?src=/press/press_releases_media_advisories/2013/HUDNo.13-048

The U.S. Department of Housing and Urban Development (HUD) and the National Fair Housing Alliance (NFHA) today launched a national media campaign to educate the public and housing providers about their rights and responsibilities under the Fair Housing Act. The campaign, titled “Fair Housing Is Your Right. Use It,” includes English, Spanish, and Chinese radio and print public service advertisements (PSAs) that feature examples of actions which violate the Fair Housing Act and let the public know what to do if they experience housing discrimination.

Collegiate leadership conference set for April 6 (April 2, 2013, Indiana State University)

<http://www.indstate.edu/news/news.php?newsid=3496>

The day will begin with a breakfast at 8:30 a.m., followed by the keynote speaker, Jeff Lorick, the director of the Terre Haute Human Relations Commission (HRC). Under his leadership, the HRC has cultivated a partnership with the Indiana Civil Rights Commission.

The real civil rights issue: Indiana Supreme Court advances school choice (April 2, 2013, Washington Times)

<http://www.washingtontimes.com/news/2013/apr/2/the-real-civil-rights-issue/>

What sets Indiana's program apart from other, more modest efforts across the nation is its scope. It's not limited to poor families or those with children in failing public schools. Middle-class families are eligible to apply for vouchers, and the vouchers are offered statewide, even to families living in areas with adequate public schools.